

REMARKS

Claims 26-32, 34-40, and 42 are pending. The specification is herewith amended to update the continuity data and provide a descriptive title of the invention. Applicants request entry of amendments to claims 26, 32 and 38. The basis for the amendments to claims 26, 32 and 38 may be found in the specification and claims as originally filed, for example, in figure 7A, at page 7, lines 6 - 8 and page 6, line 2. Applicants submit that no new matter is introduced by the amendments.

The following rejections, numbered with the Office Action paragraph numbers, are at issue in this application.

1. The disclosure is objected to because the continuity data needs to be updated and the title of the invention is allegedly not descriptive of the invention.
2. Claims 26-32, 34-40 and 42 are rejected under 35U.S.C. 112, first paragraph.
3. Claims 26-32 and 34-37 are rejected under 35 U.S.C. 112, second paragraph.
5. Claims 26, 27, 29, 32, 34-40 and 42 are rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over Baldeschwieler (US 5,847,105) in view of Koester (US 4,923,901) and Salmon.
6. Claims 28, 30, 31 are rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over Baldeschwieler in view of Salmon as applied to claims 26, 27, 29, 32, 34-40 and 42, and further in view of Koester (US 4,923,901).
8. Claims 26-32, 34-40 and 42 are rejected under the judicially created doctrine of obviousness double patenting as allegedly being unpatentable over claims 1-11 of US Patent No 5,925,732

1. **The disclosure is objected to because the continuity data needs to be updated and the title of the invention is not descriptive of the invention.**

The applicants have herewith amended the title of the invention and updated the continuity data. Therefore, applicants submit that the objection is no longer applicable, and request withdrawal of the objection.

2. Claims 26-32, 34-40 and 42 are rejected under 35U.S.C. 112, first paragraph.

Claims 26-32, 34-40 and 42 are rejected because the specification, while being enabling for a porous reaction support and the first and second surfaces of the reaction support being substantially parallel, allegedly does not reasonably provide enablement for another means of transferring fluid from the first to the second surface or the first and second surfaces not being substantially parallel. Allegedly, the specification fails to teach any other means of transporting to or making the fluids jetted on the first surface available for collection at the second surface. Allegedly, there is also not anything that would teach one of skill in the art to have the second surface be a surface that is not substantially perpendicular with the first surface. Additionally, relative to claim 38 and the claims dependent therefrom, the specification, while being enabling for breaking the bond between the support and the reaction product, allegedly does not reasonably provide enablement for removal from the support by any other means.

Although the applicants do not necessarily agree with the allegations, in order to advance the prosecution, Applicants have herein amended claim 26 to provide a reaction support, located in reaction wells. On page 7, lines 6-10 of the specification recite "... one embodiment of the invention where reaction wells are formed in a shaped body for holding a reaction support. The wells funnel liquid species transiting the reaction support such that the same may be collected by collection wells of collection plate". See also figure 7A.

The office action states that while the specification *is* (emphasis added) enabling for a porous reaction support and the first and second surfaces of the reaction support being substantially parallel, it , allegedly does *not* (emphasis added) reasonably provide enablement for ... the first and second surfaces not being substantially parallel. Applicants submit that the specification should enable that which is being claimed. Applicants are *not* claiming that

which is not substantially parallel, *nor* that which is perpendicular. Applicants are *only* claiming that which is substantially parallel, which the office action clearly states is enabled by the specification.

Applicants have amended claim 38 herewith to recite removal from the support.

Therefore, Applicants submit that the rejection is no longer applicable, and request withdrawal of the rejection.

3. Claims 26-32 and 34-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The applicants have herewith amended claims 26 and 32, and as such, Applicants submit that the rejection is no longer applicable, and request withdrawal of the rejection.

5. Claims 26, 27, 29, 32, 34-40 and 42 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Baldeschwieler (US 5,847,105) in view of Koester (US 4,923,901) and Salmon.

The applicants have herewith amended claims 26 and 38. The Baldeschwieler patent is directed to a method and an apparatus for performing multiple sequential reactions on a matrix. In the method a substrate is prepared upon which microdrop-sized loci are located at which chemical compounds are synthesized or diagnostic tests are conducted. Baldeschwieler does not teach the location of the matrix (reaction support) inside a reaction well, thereby geographically isolating the loci. Therefore, Applicants submit that the rejection is no longer applicable, and request withdrawal of the rejection.

DOCKET NO.: ISIS-4766
Application No.: 09/863,158
Office Action Dated: February 3, 2005

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

6. Claims 28, 30, 31 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Baldeschwieler in view of Salmon as applied to claims 26, 27, 29, 32, 34-40 and 42, and further in view of Koester.

For reasons analogous to those discussed above for rejection number 6, Applicants submit that this rejection is no longer applicable, and request withdrawal of the rejection.

8. Claims 26-32, 34-40 and 42 are rejected under the judicially created doctrine of obviousness double patenting as being unpatentable over claims 1-11 of US Patent No 5,925,732.

Although Applicants do not necessarily agree with the rejection, a terminal disclaimer is submitted herewith in order to further prosecution.

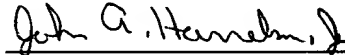
Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. Accordingly, an early and favorable reconsideration of the rejections and an allowance of all of pending claims is earnestly solicited.

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If the Examiner has any questions, the Examiner is invited to contact the undersigned attorney at (215)564-8366.

Respectfully submitted,



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Date: May 3, 2005

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